

REMARKS

At the outset, Applicant thanks the Examiner for the thorough review and consideration of the subject application. The Advisory Action of February 25, 2005 has been received and its contents carefully reviewed.

Claims 9-23 are hereby canceled without prejudice or disclaimer of the subject matter contained therein; and claims 30-34 are hereby added. Accordingly, claims 1-8 and 24-34 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

In the Advisory Action, the Examiner indicated that arguments in the Applicant's AMENDMENT dated February 9, 2005 have been considered but does NOT place the application in condition for allowance because the "arguments are unpersuasive." Specifically, the Examiner asserts that "Applicant's arguments do not point out any clear errors in the Final Rejection such that correction of said errors would knowingly place the instant Application in condition for allowance" and because "Applicant's arguments are a combination of arguments responded to in the Final Rejection and new arguments that are considered untimely." Applicant respectfully disagrees.

Specifically, the arguments presented in the AMENDMENT dated February 9, 2005 were not presented in the AMENDMENT dated June 14, 2004. Therefore, the arguments presented in the AMENDMENT dated February 9, 2005 could not have been "responded to in the Final Rejection" (dated August 23, 2004), as asserted by the Examiner. Further, it is respectfully submitted that the arguments presented in the AMENDMENT dated February 9, 2005 were submitted with a Petition for Extension of time of three months. Therefore, Applicant respectfully submits that the arguments presented in the AMENDMENT dated February 9, 2005 were submitted within the statutory period of six months from the mail date of the Final Rejection and should, therefore, be considered timely.

Moreover, Applicant respectfully directs the Examiner's attention to M.P.E.P. § 707.07(f), stating that, "where applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." Thus, concluding that arguments are unpersuasive simply by stating that the arguments "do not

point out any clear errors ... such that correction of said errors would knowingly place the instant Application in condition for allowance” merely supports a conclusion with another conclusion. Further, such a statement does not answer the substance of Applicant’s arguments which distinctly and specifically point out the errors in the Final Rejection. If the Examiner intends to maintain the rejection Applicant respectfully requests the Examiner to answer the substance of each and every argument provided below.

In the final Office Action, the Examiner rejected claims 1-8 and 24-29 under 35 U.S.C. § 103(a) as being unpatentable over the related art shown in Figures 1-3 in view of Furihata (U.S. Patent No. 6,309,081). This rejection is respectfully traversed and reconsideration is requested.

Rejecting claims 1, 24, and 28, the Examiner cites the related art shown in Figures 1-3 as disclosing “a liquid crystal display panel, 20 ... a light guide panel, 4 ... a reflector, 8 ... wrapping the bottom surface of said light guide panel ... a main support, 6, containing said liquid crystal display panel and said light guide panel” and acknowledges that the related art fails to disclose “(1) a clamping member fixing said reflector and said main support, and 2) a portion of an upper surface of said reflector is adjacent to a bottom surface of said light guide panel, and wherein a portion of said upper surface of said reflector is non-adjacent to said bottom surface of said light guide panel.” Attempting to cure the deficiency of the related art shown in Figures 1-3, the Examiner cites Furihata as teaching “a clamping member, 300, disposed in said reflector, [60 and 300 comprise a two-piece reflector, col. 4, lines 20-32], and adjacent to said main support for fixing them (col. 4, lines 62-67), and 2) a portion of an upper surface of said reflector, 60 and 300, is adjacent to a bottom surface of said light guide panel, 20, and wherein a portion of said upper surface of said reflector, 300, is non-adjacent to said bottom surface of said light guide panel, to provide proper assembly without an adhesive (col. 4, lines 59-61).” The Examiner then concludes it would have been obvious to modify the related art shown in Figures 1-3 with “(1) a clamping member disposed in said reflector, and adjacent said main support for fixing them, and wherein 2) a portion of an upper surface of said reflector is adjacent to a bottom surface of said light guide panel, and wherein a portion of said upper surface of said reflector is non-adjacent to said bottom surface of said light guide panel, to provide proper assembly without an adhesive.” The Examiner further “considers modification of ... [the related art

shown in Figures 1-3] per the teachings of Furihata would result in additional holes, extensions, and protrusions that would read on an Applicant's claims as presently and broadly interpreted."

With respect to the Examiner's above-identified rejection as it relates to claim 1, Applicant respectfully submits, regardless of whether the references relied upon individually teach all aspects of the claimed invention, a *prima facie* case of obviousness requires some objective reason to make the combination or modification. See M.P.E.P. § 2143.01. Assuming *arguendo* that the Examiner's interpretation of Furihata is reasonable, Applicant respectfully submits the Examiner has provided no suitably objective rationale to modify the related art shown in Figures 1-3 using Furihata and arrive at the combination of elements recited in claim 1.

For example, the inventive backlight unit illustrated in Figure 1 of Furihata is designed to overcome problems associated with the conventional backlight unit illustrated in Figures 6(a) and 6(b) therein (see Furihata, column 2, lines 7-13). Figures 6(a) and 6(b) illustrate a conventional backlight unit having a fluorescent tube 10 placed on the side of a light guide plate 20 and wrapped in a reflecting film 30 "so that light emitted therefrom is effectively guided to the light guide plate 20" (see Furihata, column 1, lines 30-34). The conventional backlight unit illustrated in Figures 6(a) and 6(b) further includes a diffusing plate 50 and a reflecting plate 60 on upper and lower surfaces of the light guide plate 20, respectively, that are adhered by tape 70 arranged a side of the light guide panel 20 opposite the side where the fluorescent tube is arranged (see Furihata, column 1, lines 41-45). At column 1, line 56 - column 2, line 6, Furihata acknowledges problems associated with the aforementioned conventional backlight unit, namely:

"[s]ince the reflecting film 30 is adhered to the light guide plate 20, it is impossible to simply and easily replace the fluorescent tube 10. That is, it is significantly troublesome to perform operations of peeling the reflecting film 30 off the light guide plate 20, replacing the fluorescent tube 10, and subsequently adhering the reflecting film 30 again to the light guide plate 20. Moreover, the reflecting film 30 may be creased during replacement."

and

"When the fluorescent tube 10 is placed close to the light guide plate 20 or the reflecting film 30, abnormalities may occur in lighting characteristics. For this reason, spacers SP or the like are sometimes provided to place the fluorescent tube 10 in a predetermined positional relationship with respect to the side portion of the light guide plate 20 and the reflecting surface of the reflecting film 30. This further complicates the operation of replacing the fluorescent tube 10."

Accordingly, the inventive backlight unit illustrated in Figure 1 of Furihata differs from the conventional backlight unit “in that the diffusing plate 50 and a reflecting plate 60 are aligned at one end of the light guide plate 20 where the fluorescent tube 10 is placed, and not adhered by the tape 70” (see Furihata, column 3, lines 42-46). Furihata is silent as to any benefit derived from eliminating tape 70 from a backlight unit. Therefore, Applicants respectfully submit that one of ordinary skill in the art would not combine the aforementioned references to arrive at the present invention because “providing a proper assembly without an adhesive” fails to suggest any objective desirability of the combination. Rather, the proffered rationale merely describes the structure of the combination. Absent any objective rationale for combining the references in a manner arriving at the claimed invention, Applicant respectfully submits the related art shown in Figures 1-3 has been modified via impermissible hindsight reasoning. For at least this reason, Applicant respectfully requests withdrawal of the present rejection of claim 1 under 35 U.S.C. 103(a).

Further, and whatever alleged benefits the inventive backlight unit of Furihata may have over conventional backlight unit disclosed therein, Applicant respectfully submits that the benefits are not translatable to the related art shown in Figures 1-3 of the present application. Specifically, the related art shown in Figures 1-3 is silent as to any adhesive tape arranged or even used in the manner as described above with respect to the conventional backlight unit of Furihata. Thus, even if the absence of the tape 70 in the inventive backlight unit of Furihata generated some objective benefit over the conventional backlight unit disclosed therein, Applicant respectfully submits that the Examiner has failed to establish that one of ordinary skill in the art would reasonably expect the benefit impliedly achieved in Furihata to be obtained in the combination of the related art shown in Figures 1-3 in view of Furihata. For at least this additional reason, Applicant respectfully requests withdrawal of the present rejection of claim 1 under 35 U.S.C. 103(a).

With respect to the Examiner’s above-identified rejection as it relates to claims 24 and 28, all words in a claim must be considered in judging the patentability of that claim against the applied references. See M.P.E.P. § 2143.03. Nevertheless, and as best understood by Applicant, the Examiner only specifically rejects claims 24 and 28 by stating “modification of ... [the related art shown in Figures 1-3] per the teachings of Furihata would result in additional holes, extensions, and protrusions that would read on an Applicant’s claims as presently and

broadly interpreted.” Applicants respectfully submit, however, that such a statement fails to establish that obviousness of each and every elements recited in claims 24 and 28. That is, Applicant respectfully submits that neither the related art shown in Figures 1-3 nor Furihata, singly or in combination, teaches or suggests “a main support; a protrusion extending a predetermined distance from a surface of the main support; a light guide panel adjacent to said main support, the light guide panel having a first surface; and a reflector having a second surface adjacent to said first surface, the reflector including a first hole intersecting the second surface, wherein the hole receives the protrusion,” as recited in claim 24. Further, neither the related art shown in Figures 1-3 nor Furihata, singly or in combination, teaches or suggests “a bottom cover; a light guide panel; a reflector adjacent to the bottom cover and the light guide panel, the reflector including a first hole; a main support adjacent to the bottom cover; and a protrusion extending a predetermined distance from a surface of the main support and engaged with the first hole,” as recited in claim 28. For at least these reasons, Applicant respectfully requests withdrawal of the present rejection of claims 24 and 28 under 35 U.S.C. 103(a).

As discussed above, Applicant respectfully submits the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 1, 24, and 28. Consequently, Applicant respectfully submits the Examiner has also failed to establish a *prima facie* case of obviousness with respect to claims 2-8, 25-27, and 29, which variously depend from claims 1, 24, and 28.

Applicant believes the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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